

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

KENYATTA WAYNE ACEY,

Defendant.

Case No. CR-10-153-F

**ORDER**


The court is in receipt of the Tenth Circuit's order and judgment and mandate issued August 3, 2021.

As instructed, the court's order entered February 10, 2021 (doc. no. 99), dismissing defendant's *pro se* motion to modify sentence pursuant to 18 U.S.C. § 3582(c)(1)(A), as supplemented (also referred to by the court and plaintiff as a motion for compassionate release), and the court's order entered February 22, 2021 (doc. no. 101), denying defendant's motion to reconsider the order dismissing his *pro se* motion to modify sentence pursuant to 18 U.S.C. § 3582(c)(1)(A) are **VACATED**.

Plaintiff is **GRANTED** leave to file a supplement to its response in opposition to defendant's motion for compassionate release, addressing any matters it deems pertinent to the court's consideration of defendant's motion for compassionate release anew in light of the Tenth Circuit's recent rulings in United States v. McGee, 992 F.3d 1035 (10<sup>th</sup> Cir. 2021), and United States v. Maumau, 993 F.3d 821 (10<sup>th</sup> Cir. 2021). Plaintiff's supplement shall be filed **within 30 days of the date of this order**.

Defendant is **GRANTED** leave to file a reply to plaintiff's supplement. Defendant's reply shall be filed **within 20 days from the date plaintiff files its supplement.**

IT IS SO ORDERED this 4<sup>th</sup> day of August, 2021.

  
STEPHEN P. FRIOT  
UNITED STATES DISTRICT JUDGE

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